

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
Gary McLaughlin	:	Case No.:20-14797 AMC
	:	
Debtor	:	Chapter 13

**MOTION FOR AUTHORITY TO SELL REAL PROPERTY FREE AND CLEAR OF
LIENS AND ENCUMBRANCES**

NOW INTO COURT COMES, Gary McLaughlin, hereinafter referred to as “Debtor”, and brings this Motion to Sell Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof avers the following:

1. Debtor commenced the instant Chapter 13 matter on December 21, 2020 by filing a Voluntary Petition.
2. The Chapter 13 Plan was confirmed on July 28, 2021.
3. The subject real property is located at 4727 Griscom Street, Philadelphia, Pennsylvania (hereinafter referred to as “the property”) and is owned by the Debtor.
4. Debtor believes it to be in his best financial interest to sell the property and is delinquent on his obligations to the Chapter 13 Trustee.
5. On or about November 29, 2021, Debtor, entered into an Agreement of Sale of the property in the amount of \$65,000. A true and correct copy of the Agreement of Sale is attached hereto and labeled as **Exhibit “A.”**
6. The settlement date for the sale of the subject property is scheduled for January 28, 2022.

7. The Buyer, “As Is Construction & Development, LLC, is not an insider of the Debtor and the sale represents and arms-length transaction between the parties made without fraud and/or collusion.

8. From the sale proceeds the Debtors intend to satisfy the mortgage held by US Bank National along with any other liens on the property.

9. The Debtor is desirous of receiving his exemption in the sum of \$25,150.00 from the sale proceeds and the remaining funds shall be paid to the Chapter 13 trustee in satisfaction of the Chapter 13 matter.

10. **WHEREFORE**, Debtor, respectfully requests that the Court enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtor to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtor such other and further relief to which they may be justly entitled.

Dated: December 7, 2021

/s/Brad J. Sadek, Esq.

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